

REMARKS

The claims are claims 1 to 10 and 16 to 19.

Claims 1, 2, 5, 6, 8 and 16 to 19 were rejected under 35 U.S.C. 103(a) as made obvious by the combination of Sezan et al. U.S. Patent No. 6,236,395 and Banker et al. U.S. Patent No. 5,485,221.

Claims 1 and 6 recite subject matter not made obvious by the combination of Sezan et al and Banker et al. Claim 1 recites a filter module "operable to access the viewer profile and the supplement data and, in response, to select a preferred display component according to the one television signal selected by the viewer via said input device, the viewer profile and the supplemental data, the preferred display component consisting of supplemental data selected by said filter module according to the viewer profile from among plural supplemental data corresponding to the one television signal selected by the viewer." Claim 6 similarly recites "selecting a preferred display component in accordance with the one television signal selected by the viewer, the viewer profile and supplemental data, the preferred display component consisting of supplemental data selected by said filter module according to the viewer profile from among plural supplemental data corresponding to the one television signal selected by the viewer." Thus claims 1 and 6 recite viewer selection of the television signal and filter module selection of corresponding supplemental data based upon the user profile. Claims 1 and 6 also recite that the filter module selection of the supplemental data is from plural supplemental data corresponding to the selected television signal. The teachings of Sezan et al and Banker et al fail to make obvious the claimed combination of user selection and filter module selection based on the user profile.

Sezan et al discloses automatically selecting and storing received television signals selected according to a user profile. These can be replayed later. Banker et al discloses user selection of a virtual channel including both the video and text data which are assembled by the cable head end. Banker et al states at column 4, lines 52 to 67:

"When a selector selects the virtual channel defined in memory, a tuner tunes to the channel of the broadband video signal that the composite video signal occupies as determined from the mapping in memory. Accordingly, the composite video signal may be applied to processing circuitry. In the processing circuitry, the text data stream corresponding to the selected virtual channel can be extracted. The extracted text data stream and the composite video signal are then supplied to an on-screen display control which produces a video output display signal therefrom. When applied to a standard television receiver, the video output display signal produces a picture having both text information from the extracted data stream and video information from the portion of the composite video signal corresponding to the video program defined by the virtual channel."

This portion of Banker et al makes clear that the correspondence between the video and "the text data stream corresponding to the selected virtual channel" is fixed at the transmitter and not selected according to a profile based upon the user television signal selection. Banker et al discloses that the user may select one of these fixed combinations but does not teach that the text data (supplemental data) selected for a particular video is made according to a profile. A combination of Sezan et al and Banker et al would select both the television signal the corresponding supplemental data based on the viewer profile. In contrast, claims 1 and 6 recite selection of the television signal is made by the viewer and that the corresponding supplemental data of the preferred display component is selected by the filter module according to the viewer profile. The Applicants respectfully

submit that the combination of Sezan et al and Banker et al fail to make obvious the selection of the television signal and the supplemental data by differing agents as recited in claims 1 and 6. Accordingly, claims 1 and 6 are allowable over the combination of Sezan et al and Banker et al.

In paragraph 26 of the FINAL REJECTION, the Examiner notes the Applicants' argument that the correspondence between the video and text data is fixed upon user selection of the virtual channel in Banker et al. The Examiner then cites portions of Banker et al that do not contradict the Applicants' argument. Instead the FINAL REJECTION states at page 17, lines 20 to 22:

"These teachings clearly illustrate the fact that the user has the capability to select from among many text streams (analogous to the claimed supplemental data) at the user terminal and apply them to a video signal."

The Applicants dispute that Banker et al teaches that the video and text streams can be selected independently. Banker et al teaches user selection of virtual channels, with each virtual channel having a video signal and a fixed corresponding text stream. Banker et al states at column 4, lines 4 to 8 (cited by the Examiner):

"The subscriber terminal includes a selector for selecting a virtual channel and a control signal generator for generating tuning control signals, text extraction signals and video program control signals corresponding to the selected virtual channel."

This clearly states that the video and text both correspond "to the selected virtual channel." Banker et al stated at column 4, lines 29 to 32 (within a section cited by the Examiner):

"Consequently, from a single channel of the broadband television signal, several multi-service virtual channels may be defined, each having a different combination of video and text."

This clearly states that the virtual channel selection selects a combination of video and text. Banker et al gives several examples of combinations of video and text selected by user selection of a virtual channel. Banker et al states at column 15, lines 58 and 59:

"FIG. 4A illustrates the display obtained from a virtual channel composed of video #1 and text stream #3."

Banker et al states at column 16, lines 7 to 10:

"FIG. 4B illustrates the display obtained from a virtual channel composed of video #3 and text #1. FIG. 4C illustrates the display obtained from a virtual channel composed of video #4 and text stream #2."

These examples make clear that selection of a virtual channel in Banker et al selects a video and a corresponding text stream. Thus the user is never able to select a text stream independently from the video. Applying the user profile selection taught in Sezan et al would result in selection of a virtual channel combination of video and the corresponding text as taught in Banker et al. This combination does not make the recitations of claims 1 and 6 obvious.

Even if the teachings of Banker et al would make obvious independent selection of video and text, the combination of Sezan et al and Banker et al fail to make obvious claims 1 and 6. Claims 1 and 6 each recite that the supplemental data selection is made "from among plural supplemental data corresponding to the one television signal selected by the viewer." Sezan et al fails to

teach any combination of video and text. Banker et al teaches a fixed combination of video and text selected by the user upon selection of the virtual channel. These references in combination fail to make obvious that the supplemental data selection is dependent upon the users television signal selection as recited in claims 1 and 6.

Claims 2 to 5, 7 to 10 and 16 to 19 are allowable by dependency upon allowable base claims.

The Applicants respectfully request entry and consideration of this amendment. Entry of this amendment is proper at this time because the amendment serves only to clarify subject matter previously recited. Thus no new search or reconsideration is required.

The Applicants respectfully submit that all the present claims are allowable for the reasons set forth above. Therefore early entry of this amendment, reconsideration and advance to issue are respectfully requested.

If the Examiner has any questions or other correspondence regarding this application, Applicants request that the Examiner contact Applicants' attorney at the below listed telephone number and address to facilitate prosecution.

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Respectfully submitted,

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